

## II. AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions, and listings, of claims in the application:

1. (Currently Amended) A computer implemented method for implementing technical change in an organization having multiple hierarchies, comprising the steps of:

in anticipation of ~~prior to~~ implementing ~~the~~ a proposed technical change in a working environment of the organization:

querying a hierarchy in the organization to obtain a baseline response;

quantifying the baseline response into a raw score by assigning a value to each baseline response;

modifying the raw score using at least one modifier that relates to a traditional response to change to yield a skill score; and

comparing the skill score to a predetermined required score to determine a predicted response to the technical change.

2. (Original) The method of claim 1, further comprising the steps of:

recommending a corrective action based on the predicted response; and

implementing the technical change.

3. (Original) The method of claim 1, wherein the querying step the steps of comprises:
- querying a hierarchy in the organization; and
  - receiving a set of hierarchy responses to the querying to yield the baseline response.
4. (Original) The method of claim 1, further comprising the step of providing queries organized into query topics for querying the hierarchy.
5. (Original) The method of claim 4, wherein the query topics comprise leadership, planning, administration, operations, quality assurance, communications, project management, and training.
6. (Previously Presented) The method of claim 4, wherein each query comprises a set of questions, with each question in the set of questions in a yes/no/sometimes format.
7. (Original) The method of claim 1, wherein the hierarchies comprise senior management, mid-level management, administrators, analysts, operations, project management, and end users.
8. (Original) The method of claim 1, wherein the querying step comprises the step of querying each of the hierarchies in the organization, and wherein a separate baseline response is obtained for each hierarchy and for the organization.

9. (Original) The method of claim 8, wherein each separate baseline response is quantified, modified and compared to a predetermined required score.

10. (Currently Amended) A computer implemented method for implementing technical change in an organization having multiple hierarchies, comprising the steps of:

in anticipation of ~~prior to~~ implementing ~~the~~ a proposed technical change in a working environment of the organization:

querying each of the hierarchies in the organization;

receiving a set of hierarchy responses to the querying;

quantifying the set of responses into a raw score by assigning a value to each baseline response;

modifying the raw score using at least one modifier that relates to a traditional response to change to yield a skill score;

comparing the skill score to a predetermined required score to determine a predicted response to the technical change; and

recommending a corrective action based on the predicted response; and implementing the technical change in the organization.

11. (Original) The method of claim 10, wherein the hierarchies are queried based on queries organized into query topics.

12. (Original) The method of claim 11, wherein the query topics comprise leadership, planning, administration, operations, quality assurance, communications, project management, and training.

13. (Previously Presented) The method of claim 11, wherein each query comprises a set of questions, with each question in the set of questions in a yes/no/sometimes format.

14. (Original) The method of claim 10, wherein the hierarchies comprise senior management, mid-level management, administrators, analysts, operations, project management, and end users.

15. (Currently Amended) A program product stored on a recordable medium for implementing technical change in an organization having multiple hierarchies, which when executed, comprises:

program code configured to receive a set of hierarchy responses to queries in anticipation of prior ~~to~~ implementing ~~the~~ a proposed technical change in a working environment of the organization:

program code configured to quantify the set of responses into a raw score; and

program code configured to modify the raw score into a skill score using at least one modifier that relates to a traditional response to change.

16. (Previously Presented) The program product of claim 15, further comprising:

program code configured for inputting information;

program code configured to compare the skill score to a predetermined required score to

yield a predicted organizational response to the technical change; and

program code configured to output recommended corrective actions that are based on the predicted response.

17. (Previously Presented) The program product of claim 15, wherein the program code configured to quantify converts the inputted responses into values to yield the raw score.

18. (Previously Presented) The program product of claim 15, wherein the program code configured to modify performs a mathematical operation on the raw score with the modifier to yield the skill score, and wherein the modifier comprises at least one of a stiffness modifier that relates to how a particular type of organization traditionally responds to change and an individual modifier that relates to how a particular individual traditionally responds to change.

19. (Previously Presented) The program product of claim 15, wherein the program code configured to compare determines the mathematical difference between the skill score and the predetermined required score to yield the predicted response.

20. (Previously Presented) The program product of claim 15, wherein the queries are organized into query topics, and wherein each query comprises a set of questions, with each question in the set of questions in a yes/no/sometimes format.

21. (Original) The program product of claim 20, wherein the query topics comprise leadership, planning, administration, operations, quality assurance, communications, project management, and training.

22. (Original) The program product of claim 15, wherein the hierarchies comprise senior management, mid-level management, administrators, analysts, operations, project management, and end users.

23. (Currently Amended) A computer implemented system for implementing technical change in an organization having multiple hierarchies, comprising:

a hierarchy response system for receiving a set of hierarchy responses to queries in anticipation of ~~prior to~~ implementing ~~the~~ a proposed technical change in a working environment of the organization:

a quantification system for quantifying inputted responses into a raw score; and

a modification system for modifying the raw score into a skill score using at least one modifier that relates to a traditional response to change.

24. (Original) The system of claim 23, further comprising:

a comparison system for comparing the skill score to a predetermined required score to yield a predicted organizational response to the technical change; and

an output system for outputting recommended corrective actions that are based on the predicted response.

25. (Original) The system of claim 24, further comprising:

an input system for inputting information; and

a score system for identifying the required score.

26. (Original) The system of claim 24, wherein the comparison system determines the mathematical difference between the skill score and the predetermined required score to yield the predicted response.

27. (Original) The system of claim 23, wherein the quantification system converts the inputted responses into values to yield the raw score.

28. (Previously Presented) The system of claim 23, wherein the modification system performs a mathematical operation on the raw score with the modifier to yield the skill score, and wherein the modifier comprises at least one of a stiffness modifier and an individual modifier.

29. (Previously Presented) The system of claim 23, wherein the queries are organized into query topics, and wherein each query comprises a set of questions, with each question in the set of questions in a yes/no/sometimes format.

30. (Original) The system of claim 29, wherein the query topics comprise leadership, planning, administration, operations, quality assurance, communications, project management, and training.

31. (Original) The system of claim 23, wherein the hierarchies comprise senior management, mid-level management, administrators, analysts, operations, project management, and end users.

32. (Currently Amended) A system for implementing technical change in an organization having multiple hierarchies, comprising:

means for receiving a set of hierarchy responses to queries in anticipation of ~~prior to~~ implementing ~~the~~ a proposed technical change in a working environment of the organization:

means for quantifying inputted responses into a raw score by assigning a value to each baseline response; and

means for modifying the raw score into a skill score using at least one modifier that relates to a traditional response to change.

33. (Original) The system of claim 32, further comprising:

means for inputting information; means for comparing the skill score to a predetermined required score to yield a predicted organizational response to the technical change; and

means for outputting recommended corrective actions that are based on the predicted response.



### III. REMARKS

Claims 1-33 are pending in this application. By this amendment, claims 1, 10, 15, 23 and 32 have been amended. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1, 3-5, 11, 12, 15, 17, 19, 21, 23, 25, 26 and 30 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Guinta *et al.* (U.S. Patent No. 6,161,101), hereafter “Guinta,” in view of Curtis, Bill; Hefley, William E.; Miller, Sally; “People Capability Maturity Model<sup>SM</sup>”; Sept 1995, Software Engineering Institute, CMU/SEI-95-MM-02, sections O, L1-L4, hereafter “Curtis.” Claims 2, 7-10, 14, 16, 22, 24, 27 and 31-33 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Guinta in view of Curtis. Claims 6, 13, 20 and 29 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Guinta in view of Curtis. Claims 18 and 28 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Guinta in view of Curtis and further in view of Bobic, Michael; Davis, Eric; Cunningham, Robert; “The Kirton adaption-innovation inventory”, Spring 1999, Review of Public Personnel Administration, v19n2, pp. 18-31, Dialog 01991101 47253077.

#### **A. REJECTION OF CLAIMS 1, 3-5, 11, 12, 15, 17, 19, 21, 23, 25, 26 AND 30 UNDER 35 U.S.C. §103(a) OVER GUINTA IN VIEW OF CURTIS**

With regard to the 35 U.S.C. §103(a) rejection over Guinta in view of Curtis, Applicants asserts that the cited references fail to teach each and every feature of the claimed invention. For